

1 Submitting Counsel Appear on Signature Page

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7 UNITED STATES DISTRICT COURT
8 NORTHERN DISTRICT OF CALIFORNIA - SAN JOSE DIVISION
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10 SCOTT SALYER, individually, and as
11 Trustee of the Scott Salyer Revocable Trust,

12 Plaintiff,

13 vs.

14 SALYER AMERICAN FRESH FOODS;
15 FRED SALYER; LINDA SALYER LEE,
16 INDIVIDUALLY AND AS Trustee of the
17 Linda Salyer Lee Revocable Trust; THOMAS
18 WELCH; DONALD BLODGETT; and
19 LAWRENCE RYAN,

20 Defendants.

No. C 05-3562 JW (RS)

**STIPULATION TO CONTINUE HEARING
ON DEFENDANTS' JOINT MOTION TO
DISMISS FIRST AMENDED COMPLAINT**

Before the Honorable James Ware

[Local Rules 6-1(a) & 7-7(b)(1)]

21 The undersigned parties hereby stipulate that the hearing on Defendants' Joint Motion to
22 Dismiss First Amended Complaint [Document #146] currently set for hearing on February 12, 2007 at
23 9:00 a.m. be continued and set for hearing on March 12, 2007 at 9:00 a.m. The parties have not
24 previously stipulated to continue the hearing date.

25 IT IS SO STIPULATED:

26 DATED: January 23, 2007

GORDON & REES LLP

27 By /s/ Brian P. Maschler
28 Brian P. Maschler, Attorneys for Plaintiff

1 DATED: January 23, 2007

GRUNSKY, EBEL, FARRAR & HOWELL

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3 By /s/ Rebecca Connolly
Rebecca Connolly, Attorneys for Defendant
4 Salyer American Fresh Foods

5 DATED: January 23, 2007

FOLEY, BEZEK, BEHLE & CURTIS

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7 By /s/ Thomas G. Foley
8 Thomas G. Foley, Attorneys for Defendants Linda
Salyer Lee and Fred Salyer

9
10 DATED: January 23, 2007

SPIERING, SWARTZ & KENNEDY

11 By /s/ Andrew H. Swartz
12 Andrew H. Swartz, Attorneys for Defendants
13 Thomas Welch, Donald Blodgett and Lawrence
14 Ryan

15 PURSUANT TO STIPULATION, IT IS SO ORDERED.

16
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18 DATED: January 24 2007


19 JAMES WARE
20 UNITED STATES DISTRICT JUDGE

ATTESTATION PURSUANT TO GENERAL ORDER 45

I, Rebecca Connolly, attest that concurrence in the filing of this document has been obtained from each of the other signatories.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 23rd day of January, 2007, at Watsonville, California.

By: /s/ Rebecca Connolly